

REMARKS

This is a full and timely response to the outstanding final Office Action mailed December 2, 2004. Upon entry of the amendments in this response, claims 1 – 7, 10 – 12, 15 – 16 and 19 - 20 remain pending. Reconsideration and allowance of the application and claims are respectfully requested.

Allowable Subject Matter

Both the previous and present Office Actions indicate that claims 15, 16, 19 and 20 would be allowable if rewritten in independent form. As set forth above, claims 15, 16, 19 and 20 are dependent claims that incorporate the features of claim 1, the allowability of which is described below. Therefore, Applicants respectfully assert that claims 15, 16, 19 and 20 are in condition for allowance without amendment.

Rejections Under 35 U.S.C. §103

The Office Action indicates that claims 1 - 7, and 10 - 12 stand rejected under 35 U.S.C. 103(a) as being unpatentable over *Tullis* in view of *Wilcock*. Applicants respectfully traverse the rejection.

With respect to *Tullis*, that reference discloses a wireless hand-held digital camera (40) and a host computer (10) that appear to be attributed to Applicants' first identification device and services system, respectively. However, Applicants respectfully assert that the teachings of *Tullis* do not involve the functional and/or structural relationships recited in the presently pending claims as will be described in detail below.

As disclosed by *Tullis*,

In an embodiment of the invention, imaging optics and a photo-sensor array capture image data that represents an image of a subject. A transceiver integrated into the hand-held digital camera transmits the image data to a host

computer via a wireless communications link. The host computer stores the image data, or a copy of the image data, and retransmits the image data back to the hand-held digital camera via the wireless communications link. Once the image data is received by the hand-held digital camera, an electronic image representative of the image data is displayed by a display device that is integrated into the camera. The communications link between the hand-held digital camera and the host computer can transfer data at a sufficiently high rate to provide virtually real-time feedback to a camera operator. (*Tullis*, col. 2, lines 43 – 37).

Applicants respectfully assert that there is no teaching or suggestion in *Tullis* of an “identification device having a locator and a transmitter,” and a separate “services system comprising an image capturing device” as recited in claims 1 – 7 and 10 - 12.

With respect to *Wilcock*, that reference involves augmentation of sets of image recordings. For example, *Wilcock* discloses:

According to the present invention, there is provided a method of augmenting a set of image recordings, wherein a set of image recordings are taken and corresponding taken image recording location data is recorded to indicate the locations where the image recordings are taken; and wherein desired image recording location data is also recorded to indicate at least one location for which the user desires and, or a further image recording; the desired image recording location data being subsequently used to retrieve one or more corresponding image recordings (*Wilcock*, paragraph 0008).

As set forth below, Applicants respectfully assert that *Tullis* and *Wilcock*, either individually or in combination, are legally deficient for the purpose of anticipating and/or rendering obvious the presently pending claims. In this regard, the Office Action indicates:

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of *Tullis* to include the teachings as taught by *Wilcock et al.* so that one viewer who obtains a plurality of image files may identify each of the files by looking the date, time the images taken, or even the image’s owner. (Office Action, page 3).

However, the above-mentioned features are not recited in the presently pending claims.

Therefore, Applicants respectfully request clarification if the rejection is to be maintained, as the specific claim language present in Applicants’ claims does not appear to have been addressed.

With respect to claim 1, that claim specifically recites:

1. An identification service system for providing information to a user, said identification service system comprising:

a first identification device having a locator and a transmitter, said locator being configured to facilitate determining a location of said first identification device, said first identification device being further configured to store identification information, said identification information corresponding to a first user, said transmitter being configured to transmit information associated with the location of said first identification device and identification information corresponding to the first user to a services system such that the services system provides information to the first user via said first identification device based, at least in part, on the location of said first identification device, said services system comprising an image capturing device.

(Emphasis Added).

Applicants respectfully assert that claim 1 is allowable because at least the features/limitations emphasized above in claim 1 are not taught or reasonably suggested, either individually or in combination, by the cited references. Therefore, Applicants respectfully assert that claim 1 is in condition for allowance.

Since claims 2 - 7, 10 - 12, 15, 19 and 20 are dependent claims that incorporate all the features/limitations of claim 1, Applicants respectfully assert that these claims also are in condition for allowance.

Additionally, these claims recite other features/limitations that can serve as an independent basis for patentability. For example, claim 3 recites:

3. The identification service system of claim 1, wherein, ***in response to information received by said services system, said image-capturing device captures image data corresponding to the location of said first identification device.***

(Emphasis Added).

Applicants respectfully assert that the prior art does not teach or reasonably suggest at least these additional features/limitations recited in claim 3. First, there is no teaching or suggestion in either reference of the image-capturing device capturing image data in a manner that is responsive to information received by the services system. Second, this recitation

emphasizes the inapplicability of the cited references for formulating a rejection, because this recitation highlights that the “services system” of Applicants’ claims is separate from the “first identification device” and includes the “image-capturing device.” Clearly, these relationships are not taught or suggested by either or a combination of the references. Therefore, Applicants respectfully assert that at least this claim is in condition for allowance.

As a further example, claim 12 recites:

12. The identification service system of claim 10, wherein said photo system is configured to *automatically determine the location of the user and automatically enable an image-capturing device to acquire image data corresponding to the location of the user when the location of the user corresponds to an area associated with the image-capturing device.* (Emphasis Added).

Applicants respectfully assert that the prior art does not teach or reasonably suggest at least these additional features/limitations, which do not appear to have been specifically addressed in the Office Action. Arguably, claim 12 was mentioned by number in the Office Action; however, no indication is made as to how the recited limitations are met by either or a combination of the references. In this regard, Applicants have thoroughly reviewed the references and find no such teachings or suggestions. Therefore, Applicants respectfully assert that at least this claim clearly is in condition for allowance.

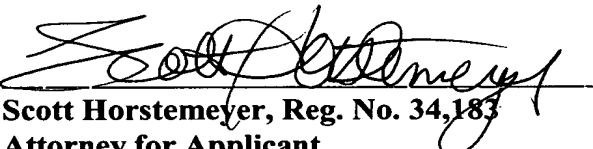
Cited Art Made of Record

The cited art made of record has been considered, but is not believed to affect the patentability of the presently pending claims.

CONCLUSION

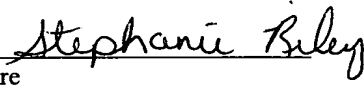
In light of the foregoing amendments and for at least the reasons set forth above, Applicants respectfully submit that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the now pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,


Scott Horstemeyer, Reg. No. 34,183
Attorney for Applicant
(770) 933-9500

IP Administration
Legal Department, M/S 35
Hewlett-Packard Company
P.O. Box 272400
Fort Collins, CO 80527-2400

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Assistant Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on 2/2/05.


Signature